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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,815	11/24/2003	Jeong-Wook Seo	46049	3442

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EXAMINER
LE, TUAN H

ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/718,815	SEO ET AL.
	Examiner	Art Unit	
	TUAN H. LE	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 March 2008</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1-13, 20-29</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>14-19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>24 November 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

       1.☒ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Species I, Fig. 15 in the reply filed on

3/13/08 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by

Nakabayashi (U.S. Pat. 5,550,593).

Regarding **claim 14**, Nakabayashi discloses a method for processing image

signals in a mobile terminal equipped with a camera and an image codec (Nakabayashi,

Fig. 6), comprising the steps:

(a) displaying image signals (monitor 55) received from the camera (54) in a

capture mode (Nakabayashi, Fig. 4), coding the displayed image signals into still pictures

in a photo capture mode (Nakabayashi, column 6 lines 16-23, wherein still images are

needed for interframe predictive coding method), and storing the still pictures in a

memory (63), (Nakabayashi, Fig. 6);

(b) coding the captured image signals into image data based upon a frame size in

a combined signal storing mode (Nakabayashi, column 6 line 20, wherein still image is

associated with a certain size), coding audio signals according to the image data

(Nakabayashi, Fig. 6, wherein audio data is coded by 60), adding image headers to the

image data (Nakabayashi, Fig. 6, column 7 lines 27-29, wherein system control unit performs the task), combining the image data and audio data (Nakabayashi, Fig. 6, column 7 lines 31-34, wherein part 59 performs the task), and storing combined data in the memory (Nakabayashi, Fig. 6, column 7 lines 31-34, wherein multiplexed data is stored in 63);

(c) displaying a plurality of combined data units stored in the memory in a combined signal playback mode, accessing selected combined data, separating the image and audio data by means of the image headers, and decoding and reproducing the image and audio data;

(d) displaying the plurality of combined data units stored in the memory in a combined signal transmission mode (Nakabayashi, Fig. 6, wherein receiving portion transfer data units for displaying on 55), accessing selected combined data and assembling transmission packets based upon the selected combined data (Nakabayashi, Fig. 6, column 7 lines 38-39, wherein stored data is read out), and transmitting the assembled transmission packets (Nakabayashi, Fig. 6, wherein video data is transferred from 62 to 59); and (e) disassembling received packet data in a combined signal reception mode (Nakabayashi, Fig. 6, wherein parts 58 and 60 perform the task), combining image and audio data and storing a result of the combining in the memory (Nakayabashi, Fig. 6, wherein storage 63 is used).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Cho

et al (U. S. Pub. 2002/0120681).

Regarding **claim 15**, Cho et al discloses a method for generating a combined

signal in a mobile terminal equipped with a camera and an image codec (Cho et al, Fig. 3,

Fig. 4, and Fig. 11), comprising the steps of:

(a) coding image signals captured by the camera into still pictures based upon a

frame size by means of the image codec (Cho et al, Fig. 10, wherein a still image is

encoded), repeating an operation for inserting an image header containing image pattern

information and frame size information into each coded image signal (Cho et al, Fig. 7

and paragraph [0065], wherein structure 710, 720, 730 and 740 include header

information), and generating moving picture signals (Cho et al, Abstract);

(b) after obtaining the moving picture signals, generating at least one text signal

(Cho et al, Fig. 7 and Fig. 10, wherein text gives more details about the image);

(c) combining the obtained moving picture signals with the text signal (Cho et al,

Fig. 3, wherein data combiner 117 combine video, audio, and text signal); and

(d) storing a combined signal representative of a result of the combining in a memory (Cho et al, Fig. 3, wherein memory 118 stores combined signal).

Regarding **claim 16**, Cho et al discloses the method of claim 15. In addition, Cho et al discloses

(b-1) deciding maximum length of displayable text according to a playback time required for reproducing the obtained moving picture signals and displaying the reproduced moving picture signals (Cho et al, Fig. 10, inherent step so that images and text in Fig. 10 are displayed);

(b-2) generating a text header containing information indicating a size of the received text signal and a text pattern signal (Cho et al,Fig. 4 and Fig. 10, inherent step so that images and text in Fig. 10 are displayed at the receiver side); and

(b-3) inserting the text header into the text signal and generating the text signal having the inserted text header (Cho et al,Fig. 4 and Fig. 10, inherent step so that images and text in Fig. 10 are displayed at the receiver side).

Regarding **claim 17**, Cho et al discloses the method of claim 16. In addition, Cho et al discloses

(b-1) deciding maximum length of displayable text according to a playback time required for reproducing the obtained moving picture signals and displaying the reproduced moving picture signals;

(b-2) generating a text header containing information indicating a size of the received text signal and a text pattern signal; and

(b-3) inserting the text header into the text signal and generating the text signal

having the inserted text header (Cho et al, Fig. 10, steps b-1,b-2,b-3 are inherent part so

that images and text in Fig. 10 are produced at receiver side).

Regarding **claim 18**, Cho et al discloses the method of claim 15. In addition, Cho

et al discloses

(a-1) compressing and coding the image signals based upon the frame size (Cho et

al, Fig. 3, wherein data editor 119 performs compressing and coding the image);

(a-2) generating the image header containing information indicating a size of each

compressed and coded image signal and an image pattern signal (Cho et al, Fig. 7,

wherein header is generated);

(a-3) inserting the image header into each compressed and coded image signal and

generating a still picture signal based upon the frame size (Cho et al, Fig. 7, wherein

header is inserted); and

(a-4) repeating an operation for generating the still picture signal and generating

the moving picture signals (Cho et al, Abstract, wherein input data comprising moving

images).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claim19 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Cho in view of Official Notice

Regarding **claim 19**, Cho et al discloses the method of claim 18. In addition, Cho et al does not discloses

the compressed and coded image signals are Joint Photographic Expert Group (JPEG) coded image signals.

However, **Official Notice** (MPEP § 2144.03) is taken that both the concepts and advantages of JPEG are well known and expected in the art. At the time the invention was made, it would have been obvious to one with ordinary skill in the art to have implement JPEG coded signal so that the system is widely used, increasing portability and flexibility.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Pub 2002/0003577.   U.S. Pat. 5,987,214

U.S. Pat. 5,594,736.Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN H. LE whose telephone number is (571)270-1130. The examiner can normally be reached on M-Th 7:30-5:00 F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR. Status

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have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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2622

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